

**LICENSES AND CONSUMER SERVICES  
LICENSE INSPECTOR'S REPORT  
Extended Hours License  
L317-50018**

**Purpose of Application:** Jimmy John's is requesting to extend their business hours of operation to the following:

Thursdays, Fridays and Saturdays, no earlier than 6:00 a.m. to operate until 3:00 a.m.

**Applicant's Name (Legal Entity):** Miklin Enterprises, Inc.

**DBA/Trade Name:** Jimmy John's

**Complete Address:** 3001 Hennepin Avenue, Suite C120, Minneapolis, MN 55408

**Telephone Number:** 612-824-2615

**Current License:** Restaurant at 3001 Hennepin. Seven others in the City of Minneapolis

**Zoning:** C3A/PO Community Activity Center and Pedestrian Oriented Overlay Districts

**Current Authorized Hours:** Sunday – Thursday 6:00 a.m. – 1:00 a.m.  
Friday - Saturday, from 6:00 a.m. to 2:00 a.m.

**Neighborhood/Ward:** CARAG / 10

**Date of Application:** November 28, 2011

**Inspector:** Greg Buenning, 612-673-3851

**Public Hearing Requirement:** A public hearing is required for this license application. 17 notices were mailed to residents and property owners within 300 feet of the premises, and e-mailed to the East Isles Neighborhood Association, East Calhoun Community Organization, Calhoun Area Residents Action Group, Lowry Hill East Neighborhood Association and the Lyn-Lake Business Association on March 7, 2012. The public hearing will be held on April 2, 2012, at the Regulatory, Energy and Environment Committee meeting.

**Background:** The applicant proposes to extend the hours of operation for their Food Restaurant for dining room and delivery service to 2:00am on Thursday, and 3:00 a.m. on Friday and Saturday. The restaurant does not serve alcoholic beverages, nor does it provide entertainment (only background music). Licensing performed a late night inspection in the near vicinity recently. On October 6, 2011, a violation notice (warning) was sent to Jimmy John's for being in violation of operating beyond their legal hours of

operation. A subsequent inspection was conducted on November 5, 2011. Business License Inspectors observed customers leaving the business at 2:15 a.m. A citation was issued for operating beyond their legal hours of operation. The citation was paid.

### **Findings as Required by the Minneapolis Licensing Code:**

The Licenses and Consumer Services Division has analyzed the application and concludes that the application has answered the following:

#### **A security plan that describes the security features, including personnel and equipment, that the applicant will employ and how they will be utilized:**

Jimmy John's has designed their space so that there is room for a queue line to be inside. If the queue line is so long that it stretches outside, they will have crowd control personnel watching it. They will utilize security staff from Calhoun Square to manage the crowds during their busiest times (Friday and Saturday nights) as well as any other time that it is needed.

The 5<sup>th</sup> Police Precinct has discussed security issues with the applicant.

#### **Description of how the applicant will maintain the orderly appearance and operation of the premises with respect to litter and noise:**

Staff will remove litter twice daily. They will pick up litter more than twice a day if it becomes necessary.

#### **Description of how the business will have people exit the establishment at closing time and during an emergency that requires all people to exit the establishment quickly:**

Jimmy John's indicates that they will stop taking customer orders ten minutes before closing and will close at the prescribed 2:00 a.m. Thursday, and 3:00 Friday and Saturday. All employees will finish cleaning and be out of premises by 4:00 a.m.

#### **Such other reasonable and pertinent information as the city council may require:**

Upon request, the licensee shall meet representatives of the City of Minneapolis to discuss any safety, security or operational concerns.

#### **Proximity to permitted or conditional residential uses.**

#### **Nature of the business and its impacts of noise, light and traffic.**

This restaurant is not adjacent to residential uses.

#### **Conformance with applicable zoning regulations, including but not limited to use, yards, gross floor area and specific development standards.**

The business is categorized as a food restaurant which is a permitted use in the C3A/PO district.

**History of complaints related to the use.**

There are no significant police calls for service at this location. Jimmy John's was issued a citation for being open after permitted zoning hours on November 5, 2011.

**RECOMMENDATIONS:**

**CARAG NEIGHBORHOOD ASSOCIATION:** On January 17, 2012 the Carag Neighborhood Association voted in favor of Jimmy John's extended hour's license.

**The Licenses and Consumer Services Division make the following recommendation:**

Business Licenses staff recommends the application for an Extended Hours license for Jimmy John's be denied. The proposed hours do not support the city's efforts to remove patrons from the area and quiet the neighborhood. The majority of the businesses in this area close earlier in the night.